

These are some of the legal propositions that Judge Ginsburg established as an advocate, and she used them to help the Court forge a new understanding of the equal protection of the laws. It was Ruth Bader Ginsburg's voice, raised in oral argument before the United States Supreme Court, that opened new opportunities for the women of this country. She was in the forefront of the creation of legal precedents that advocates who followed her have used, time and time again, to build a strong edifice against discrimination that now protects many groups. She left her enduring mark on the Constitution even before taking her place on the Supreme Court.

I speak today not only as an academic observer of Judge Ginsburg's work, but also as her co-author and friend. I have had the privilege of working with her on our casebook on *Sex-Based Discrimination*, published in 1974. She and I are both among the first 20 full-time women law professors in the country. We continue to serve together on the Council of the American Law Institute. From those vantage-points, I can say that hers is a courageous intellect, and that she is as steadfast and loyal a colleague and friend as anyone could wish. Her standards are exacting: she produces the best and most precise work and she expects the same from others. As this confirmation process has shown the nation, she thinks deeply and chooses her words with care. But I can tell you that her compassion is as deep as her mind is brilliant. In Ruth Bader Ginsburg, the President has offered the country a Justice worthy of the title. I urge this Committee to recommend that the Senate give its enthusiastic consent to her appointment to the United States Supreme Court.

The CHAIRMAN. Thank you, Dean.

I have been in the Senate 20 years, and I have sat through a lot of nomination hearings for the court generally, and the Supreme Court in particular. I must say I have never heard higher praise for a nominee than I have heard from those who have testified today. I thank you for adding your insight to these deliberations. And your reputations individually precede you, and it means a great deal that you think so highly of this nominee, and it reinforces in my mind, and the minds of the committee as a whole, that our initial judgment about Judge Ginsburg was correct, and that the wisdom of the President was demonstrated in his choice. But I thank you both. I have no questions.

I will yield to my friend from Utah.

Senator HATCH. Well, we are happy to welcome both of you here, and we appreciate the excellent testimony you have given. I had to listen to a degree while I was meeting with some people in the back room here, but I don't know that Judge Ginsburg could have had two better law professors come in and speak for her and on her behalf.

Don't you forget, Professor Gunther, when that book on the judge comes out, *Learned Hand*—

Mr. GUNTHER. Will you make clear, Senator, that we don't have an agreement? That gives me the opening to say it will be published in February 1994 by Knopf.

Senator HATCH. He is going to publish a wonderful book on *Learned Hand*. February of 1994, you say?

Mr. GUNTHER. Yes.

Senator HATCH. Knopf. I expect an autographed copy, is all I can say.

Mr. GUNTHER. It is yours.

Senator HATCH. I appreciate it, and we are happy to have both of you here. Thank you for coming.

The CHAIRMAN. Senator Feinstein?

Senator FEINSTEIN. Nothing other than to say, Mr. Chairman, you have before you, as you well know, two of—

The CHAIRMAN. I beg your pardon.

Senator FEINSTEIN. I was addressing my comments to you. You have two of California's finest representatives, I think, from two of the greatest universities in the world. And my observation would be, after sitting through these hearings, Dean Kay and Professor Gunther, that if Mrs. Ginsburg were of another religion, she might even be canonized at the end of this.

The CHAIRMAN. I imagine we will work that out before it is over. [Laughter.]

I thank you both, and thank you for taking the time to make the trip. We appreciate it.

The CHAIRMAN. We are going to move out of order here a little bit because the next panel was under the impression, understandably, that we were going to break for lunch. But it is not my intention to break for lunch, and they are presently in the cafeteria on their way back. But our fifth panel is a panel comprised of a former law clerk, former client, and former ACLU colleague of Judge Ginsburg.

Edith Roberts was a law clerk to Judge Ginsburg from 1989 to 1990, and she is presently a staff attorney at the Environmental Law Institute.

I understand Stephen Wiesenfeld is the litigant Judge Ginsburg represented in the landmark gender discrimination case, and he is not here. We will add him to the sixth panel.

Kathleen Peratis was a colleague of Judge Ginsburg while she was head of the American Civil Liberties Union, Women's Rights Project, during the 1970's. Today she is a lawyer in private practice in New York City.

I welcome you both and invite you, starting with you, Ms. Roberts, to give your testimony within 5 minutes, if you would, please.

**PANEL CONSISTING OF EDITH LAMPSON ROBERTS,
WASHINGTON, DC, AND KATHLEEN PERATIS, NEW YORK, NY**

STATEMENT OF EDITH LAMPSON ROBERTS

Ms. ROBERTS. Mr. Chairman and members of the committee, it is an honor for me to be here today to speak in support of the nomination of Judge Ruth Bader Ginsburg to the Supreme Court of the United States. I have had the privilege of knowing Judge Ginsburg in a variety of contexts. She has been my employer, when I served as her law clerk from 1989 to 1990; my mentor, discussing career choices with me after my clerkship ended; my friend, holding a surprise wedding shower for me at her apartment; and the officiator at my marriage to another of her clerks, my husband Matt.

In all these roles, Judge Ginsburg's influence and example have been an inspiration. As her law clerk, I was granted a close-up view of the way Judge Ginsburg approaches her work on the bench. Her thorough knowledge of the letter of the law is matched only by her deep respect for its spirit. Even in the District of Columbia Circuit, with its high proportion of administrative law cases that some might characterize as abstruse and unexciting, Judge Ginsburg comes to each case with fresh enthusiasm, interest, and a commitment to reaching the result the law requires. This commitment manifests itself in her extraordinarily thorough and careful work habits. Long after her clerks have departed each night, and